

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION
No. 7:10-CR-66-D
No. 7:14-CV-225-D

LARRY JUNIOR COPELAND,)
)
 Petitioner,)
)
 v.)
)
 UNITED STATES OF AMERICA,)
)
 Respondent.)


ORDER

On October 10, 2014, Larry Junior Copeland (“Copeland”) moved under 28 U.S.C. § 2255 to vacate, set aside, or correct his 216-month sentence [D.E. 53]. On January 22, 2018, the court dismissed Copeland’s section 2255 motion, denied Copeland’s motion for appointment of counsel, and denied a certificate of appealability [D.E. 83]. On February 21, 2018, Copeland filed a notice of appeal [D.E. 85]. On October 3, 2018, the United States Court of Appeals for the Fourth Circuit dismissed Copeland’s appeal [D.E. 91] and entered its judgment [D.E. 92].

On April 30, 2018, Copeland filed a motion for reconsideration [D.E. 90]. Copeland’s motion is successive, and the Fourth Circuit has not authorized the motion. Accordingly, the court lacks subject-matter jurisdiction over Copeland’s motion for reconsideration. See, e.g., 28 U.S.C. § 2255(h); Burton v. Stewart, 549 U.S. 147, 152–53 (2007) (per curiam); In re Williams, 364 F.3d 235, 238 (4th Cir. 2004); United States v. Winestock, 340 F.3d 200, 205–07 (4th Cir. 2003). Alternatively, if the court has jurisdiction, the motion lacks merit and is denied.

In sum, the court DISMISSES Copeland's motion for reconsideration [D.E. 90], and DENIES a certificate of appealability.

SO ORDERED. This 4 day of October 2018.



JAMES C. DEVER III
Chief United States District Judge